

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: FLAT GLASS ANTITRUST)	Master Docket
LITIGATION (II))	Misc. No.: 08-180
)	MDL No. : 1942
This Document Relates To:)	
All Actions)	

AMBROSE, Chief District Judge

PRE-TRIAL ORDER NO. 1

WHEREAS, there are twenty (20) actions filed in, transferred to, and pending before this Court for alleged violations of Section 1 of the Sherman Act relating to price-fixing of flat glass;

WHEREAS, the 20 actions are related cases involving common questions of law and fact; and

WHEREAS, consolidation and coordination would promote the efficient disposition of these claims.

NOW THEREFORE, THE COURT ORDERS AS FOLLOWS:

1. Twenty (20) separate class actions have been filed in or transferred to this district arising out of allegations that the Defendants violated the antitrust laws of the United States in relation to their sales of flat glass in the United States during the period February 6, 2004, to the present.

2. The Court will be guided by the *Manual for Complex Litigation*, Fourth, as approved by the Judicial Conference of the United States, as well as by the Local Rules of this Court. Counsel are directed to familiarize themselves with both the *Manual* and the Local Rules.

3. The actions filed in the Western District of Pennsylvania and all actions which have been or will be transferred here by the MDL Panel are hereby ordered to be consolidated for pretrial purposes pursuant to Federal Rule of Civil Procedure 42(a).

4. This Pre-Trial Order No. 1 (the "Order") shall apply to each case that relates to price-

fixing of flat glass that is subsequently filed in this Court or transferred to this Court and is coordinated with the pending actions.

5. These actions, and all other such actions subsequently filed or transferred to this Court, shall be collectively referred to as: "In re: Flat Glass Antitrust Litigation (II)." A Master File Docket number is thereby established for this proceeding. The Master Docket number shall be 2:08-180. All filings shall be filed in this lead case. If a document pertains to only one or some of the member cases, it will be docketed in the lead case with a notation in the docket text as to the case number(s) to which it pertains and filed in the member cases.

6. A copy of this Order shall be filed by the Clerk in the lead case and in each member case, as well as all subsequently filed or transferred cases.

7. A copy of this Order shall be served on all counsel of record as well as upon counsel in all subsequently filed or transferred cases.

8. Every pleading or motion in the In re Flat Glass Antitrust Litigation (II) shall have the following caption:

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9. When a pleading or motion is intended to apply in all actions, the words "All Actions" shall appear immediately after or below the words "This Document Relates to" as set forth above. When a pleading or motion is applicable to less than all actions, then the separate caption and docket number for each action to which the filing is intended shall appear after or below the words "This Document Relates to" as set forth above. When a document relates to less than all actions then it shall be filed in the lead case as well as all applicable cases.

10. Each case that is subsequently filed or transferred to this Court shall be consolidated with the In re: Flat Glass Antitrust Litigation (II) and served with a copy of this order by the clerk, and this Order shall apply thereto. Any objection to this Order shall be made within ten (10) days after the date upon which a copy of this Order is served on counsel for the objecting party.

11. This Order is made without prejudice to the right of any party to seek a severance of any claim or action.

12. The Court hereby directs that an initial case management conference will take place on July 10, 2008, beginning at 2:00 p.m., in Courtroom 3B of the United States District Court for the Western District of Pennsylvania.

13. The conference will be for the purpose of addressing the following matters:

- a. service on all Defendants of summons and complaints;
- b. Plaintiffs' filing of a Consolidated Amended Complaint and Defendants' responses to same;
- c. confidentiality and entry of a protective order governing the same;
- d. preservation of evidence;
- e. *pro hac vice* admissions; and
- f. scheduling of Rule 16 conference.

ENTERED this 23rd day of June, 2008, at Pittsburgh, Pennsylvania.

BY THE COURT:

/s/ Donetta W. Ambrose

Donetta W. Ambrose
Chief U.S. District Judge